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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,195	03/12/2004	Shih-Lung Hsu	10113871	8166

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QUINTERO LAW OFFICE
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SANTA MONICA, CA 90404

EXAMINER

WRIGHT, INGRID D

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 12/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,195

Applicant(s)

HSU ET AL.

Examiner

Ingrid Wright

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14 and 16-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14 and 16-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☒ Other: 3 Attachments.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14, 20,22,23, 27-32,34 & 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma US 6191940 B1 in view of Burgess US 0487469.

Note: See notations on attached fig. 3 of Ma & fig. 3 & 4 of Burgess for elements representing claimed limitations in the instant application.

Re claim 14, Ma teaches a display device (see, Abstract of Ma), comprising a monitor (1), comprising a display side and a backside, a hinge body (21,31) disposed on the backside of the monitor, a stand connected to the monitor (1) by means of the hinge body (21,31), and having a first and second supporting element (2, 3), wherein the first supporting element (2) has a first rotating end and a first free end opposite, the second supporting element (3) has a second rotating end and a second free end opposite thereto, the first and second rotating ends are rotatably connected to the monitor (1), the first rotating end is rotatably connected to the second rotating, the distance between the first free end and the second free end changes when either of the first and second supporting elements (2,3) but is silent as to the hinge rotating away from the monitor to change the angle between the stand and the monitor. Burgess teaches a rotatable hinge (attached fig. 4 of Burgess), connecting a first & second supporting element (see, notation

on attached fig. 3 of Burgess). Therefore, to modify Ma, by employing a rotatable hinge connecting a first and second member, would have been obvious to one having ordinary skill in the art at the time the invention was made, since Burgess teaches a hinge assembly having these design characteristics. The skilled artisan would be motivated to combine the hinge of Burgess with Ma, in order to provide a means of self-supporting an object, via a pivotal connection and Burgess is only used to provide the added limitation of a rotating hinge.

Re claim 20, Ma as modified by Burgess, teaches a first supporting element and a second supporting (2,3) and additional first and second supporting elements (see, notations on attached fig. 3 of Burgess), which further comprise a first toothed portion and a second toothed portion (see, notation on attached fig. 3 of Burgess) respectfully, the first toothed portion engaging the second toothed portion (see, notations on attached fig. 3 of Burgess) such that the first supporting element (see, notation on attached fig. 3 of Burgess) with respect to the second supporting element (see, notation on attached fig. 3 of Burgess).

Re claim 22, Ma as modified by Burgess, teaches a hinge (21,31), which is covered, and an additional hinge (fig. 4 of Burgess), but is silent as to a first cover portion and a second cover portion. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a first and second cover portion, over the cover hinge of Ma as modified by Burgess, as an alternate equivalent means of enclosing a hinge of a display device.

Re claim 23, Ma as modified by Burgess, teaches a hinge (21) & a hinge connection and a first and second fixed bolt (d'') (see, col. 1, lines 31-36 of Burgess), but is silent as to a first and second fixed pin. It would have been obvious to one having ordinary skill in the art at the time the invention was made to

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utilize pins over the bolts of Ma as modified by Burgess, in order to provide an alternate equivalent means of rotatably attaching the first and second supporting means to a hinge structure.

Re claim 27, Ma as modified by Burgess, teaches wherein a monitor (1), first and second supporting members (2,3) and a sliding groove (see, notation on attached fig. 3 of Burgess), with additional first and the second supporting elements (see, notations on attached fig. 3 of Burgess) disposed in the sliding groove (see, notation on attached fig. 3 of Burgess), the stand in a received condition when the first and the second supporting elements (see, notation on attached fig. 3 of Burgess) meet and the stand in a supporting condition when the first and second supporting elements are separated. The skilled artisan would be motivated to combine the sliding groove of Burgess in the invention of Ma, in order to provide a reinforced support for the first and second elements.

Re claim 28, Ma teaches a display device (Abstract of Ma) comprising a monitor (1) comprising a display side and a backside opposite thereto, a hinge structure (21,31) connected to the backside of the monitor (1); a supporting structure (2,3) connected to the hinge structure (21), the supporting structure comprising a first supporting element (2) and a second supporting element (3), the first supporting element and the second supporting element (2,3) rotatably connected to the hinge structure (21,31), and the angle between the monitor (1) and the supporting structure (3) changes, but is silent as to the hinge structure (21,31) rotating. Burgess teaches a rotatable hinge (attached fig. 4 of Burgess), connecting a first & second supporting element (see, notation on attached fig. 3 of Burgess). Therefore, to modify Ma, by employing a rotatable hinge connecting a first and second member, would have been obvious to one having ordinary skill in the art at the time the invention was made, since Burgess teaches a hinge assembly having these design characteristics. The skilled artisan would be motivated to combine the hinge of Burgess with Ma,

in order to provide a means of self-supporting an object, via a pivotal connection and Burgess is only used to provide the added limitation of a rotating hinge.

Re claim 29, in regards to all the limitations of claim 28, Ma teaches first and second supporting elements (2,3) rotatable in a plane from a monitor (1), and an additional hinge structure (fig. 4 of Burgess) rotatable in a plane changing the angular orientation of the supporting structure (fig. 3 of Burgess).

Re claim 30, Ma as modified by Burgess, teaches first and second supporting elements (see, fig. 3 of Burgess), comprising a first toothed portion and a second toothed portion, respectively, the first toothed portion engaging the second toothed portion such that the first supporting element rotates with respect to the second supporting element.

Re claim 31, Ma as modified by Burgess, teaches the first and second supporting element (fig. 3 of Burgess), comprising a first end and a second end, respectively, and rotation of the first supporting element in a first direction and the second supporting element in a second direction separates the first and second ends.

Re claim 32, Ma as modified by Burgess, teaches wherein the monitor (1) comprises a bottom (bottom surface of (2,3)) on first and second ends (ends of (2,3) and an additional hinge (rotatable) (fig. 4 of Burgess), wherein first and second supporting elements (fig. 3 of Burgess) are rotated to a first orientation in which the first and second ends are separated, and the bottom and first and second ends (of 2,3) provide support.

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Re claim 34, Ma as modified by Burgess, teaches first and second supporting elements (see, fig. 3 of Burgess), comprising a first end and a second end, respectively, and rotation of the first supporting element in a first direction and the second supporting element in a second direction separates the first and second ends.

Re claim 35, Ma as modified by Burgess, teaches a monitor (1), comprising a bottom (bottom surface of 2,3), bottom and first and second ends (ends of (2,3) support the monitor (1), and a hinge (rotatable) structure (fig. 3 of Burgess), wherein the first supporting and second supporting element (fig. 3) are rotated to a first orientation in which the first and second ends are separated.

3. Claims 16-19, 25,33 & 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma US 6191940 B1 in view of Burgess US 0487469, further in view of Hubbard US 20020122291 A1.

Note: See notations on attached fig. 2a of Hubbard for elements representing claimed limitations in the instant application.

Re claim 16, Ma as modified by Burgess, teaches first and second supporting elements (2,3), but is silent as to a base having a receiving portion. Hubbard teaches a base (see, notation on attached fig. 2A of Hubbard), having a receiving portion (see, notation on attached fig.2A) for a portable computer (see, col. 3, par. 0062), in order to provide an ergonomic viewing position for a portable computer (see, Abstract of Hubbard). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the base of Hubbard, in the invention on Ma as modified by Burgess, in order to provide in order to provide an ergonomic viewing position for a portable computer.

Re claim 17, Ma as modified by Hubbard, teaches first and second supporting members (2,3) and a receiving portion (see, notation attached fig. 2A) of the base (see, notation on attached fig. 2A of Hubbard) and a lock structure disposed in the receiving portion (see, notation on attached fig. 2A of Hubbard) of the base (see, notation on attached fig. 2A of Hubbard).

Re claim 18, Ma as modified by Burgess & Hubbard, teaches first and second supporting elements (2,3) and a lock structure (70) (fig. 7A), further comprising a button element (125) and an engaging element (inner housing of (65)) (see, fig. 4), the button element (125) disposed on the engaging element (inner housing of (65)), in order to provide a releasably engaging means for a desktop portion positioned securely within a housing of a base (see, col. 4, par. 0067 of Hubbard). Although, Hubbard is silent as to the button being slidable, numerous slidable button configurations are common and well known in the art. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a slidable button, over the button configuration of Hubbard, in the invention of Ma as modified by Burgess, in order to provide an alternate equivalent means of releasably engaging the portable computer from a base.

Re claim 19, Ma as modified by Burgess, teaches a first supporting element and a second supporting element (2,3), but is silent as to a first and second engaging portion engaging an engaging element. Hubbard teaches (see, fig. 4) an engaging portion to engage an engaging element. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the engaging element of Hubbard in the invention of Ma, as modified by Burgess, in order to provide a releasably engaging means of a desktop portion secured within a housing of a base.

Re claim 25, Hubbard teaches (see, fig. 1-4) a bottom plate (130) disposed under the base (60), the lock structure (70) (see, col. 4, par 0067) disposed in a receiving portion (see fig. 2A) of the base (60) and on the bottom plate (130).

Re claim 33, in regards to all the limitations of claims 28,30-32 above, Ma as modified by Burgess, is silent as to a base having a receiving portion. Hubbard teaches a base having a receiving portion.

Hubbard teaches a base having a receiving portion. Therefore, to modify Ma as modified by Burgess, by employing a base having a receiving portion, would have been obvious to one having ordinary skill in the art at the time the invention was made, since Hubbard teaches a base having a receiving portion. The skilled artisan would be motivated to combine the base of Hubbard, with the invention of Ma as modified by Burgess, in order to provide an ergonomic viewing position for an electronic device having a display screen.

Re claim 36, in regards to all the limitations of claims 28,29,34 & 35 above, Ma as modified by Burgess is silent as to a base, having a receiving portion. Hubbard teaches a base having a receiving portion.

Hubbard teaches a base having a receiving portion. Therefore, to modify Ma as modified by Burgess, by employing a base having a receiving portion, would have been obvious to one having ordinary skill in the art at the time the invention was made, since Hubbard teaches a base having a receiving portion. The skilled artisan would be motivated to combine the base of Hubbard, with the invention of Ma as modified by Burgess, in order to provide an ergonomic viewing position for an electronic device having a display screen.

4. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ma US 6191940 B1, in view of Burgess US 0487469, further in view of Doczy et al. US 6788527 B2.

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Re claim 21, in regards to all the limitations of claim 14, Ma, as modified by Burgess, teaches first and second supporting elements (3), respectively, but is silent as to a cushion disposed on the bottoms of the first and second supporting elements, respectively. Doczy et al. teaches (see, fig. 11B & 20) a cushion, such as rubber, disposed on the bottoms of first and second supporting elements, for providing a cushioned and relatively high friction interface for mounting a support section on a desired mounting surface) (see, col. 18, lines 20-27 of Doczy et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the cushion of Doczy et al., in the invention of Landry et al., in order to provide a cushioned and relatively high friction interface for mounting a support section on a desired mounting surface) (see, col. 18, lines 20-27 of Doczy et al.)

5. Claims 24 & 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma US 6191940 B1, in view of Burgess US 0487469, Hubbard US 20020122291 A1 & Doczy et al. US 6788527 B2.

Re claim 24, in regards to all the limitations of claim 16 above, Ma as modified by Burgess & Hubbard, teaches a receiving portion (64) of the base (62), but is silent as to at least one first buffer. Doczy et al. teaches (see, fig. 11B & 20) a buffer (see, col. 18, lines 20-27), for providing a cushioned and relatively high friction interface for mounting a support section on a desired mounting surface) (see, col. 18, lines 20-27 of Doczy et al.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the cushion of Doczy et al., in the invention of Ma, as modified by Burgess & Hubbard, in order to provide a cushioned and relatively high friction interface for mounting a support section on a desired mounting surface) (see, col. 18, lines 20-27 of Doczy et al.)

Re claim 26, in regards to all the limitations of claim 25 above, Ma as modified by Burgess & Hubbard, teaches a bottom plate (130), but is silent as to at least one second buffer. Doczy et al. teaches (see, fig.

11B & 20) a buffer (see, col. 18, lines 20-27), for providing a cushioned and relatively high friction interface for mounting a support section on a desired mounting surface) (see, col. 18, lines 20-27 of Doczy et al. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the cushion of Doczy et al., in the invention of Ma as modified by Burgess & Hubbard, in order to provide a cushioned and relatively high friction interface for mounting a support section on a desired mounting surface) (see, col. 18, lines 20-27 of Doczy et al.).

Response to Arguments

6. Applicant's arguments, filed 9/26/06, have been fully considered, but are not persuasive.

Re argument 1, wherein hinge body (5,6) of Curbelo et al. not rotating in two intersecting planes, the Examiner notes that Ma teaches a hinge body (21), with members (3) rotating (in a plane) away from a monitor (1) and Burgess teaches a hinge body with members (fig. 3 of Burgess), rotating (in a different plane) away from each other, as described in the previous action.

Re argument 2, wherein the invention of Burgess not reasonably being pertinent to the invention of Ma, the Examiner respectfully disagrees and notes that Burgess is reasonably pertinent to the hinge structure/rotatable members of Ma, as Burgess also teaches a hinge structure, wherein members are rotated with respect to each other. Burgess was utilized, with respect to the hinge structure only and would be utilized by one having ordinary skill in the art, in order to provide a rotatable hinge structure, wherein the supporting members are rotated with respect to each other.

Conclusion


7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571)272-8392. The examiner can normally be reached on M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571)272-2800, ext 34. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IDW


LISA LEA-EDMONDS
PRIMARY EXAMINER

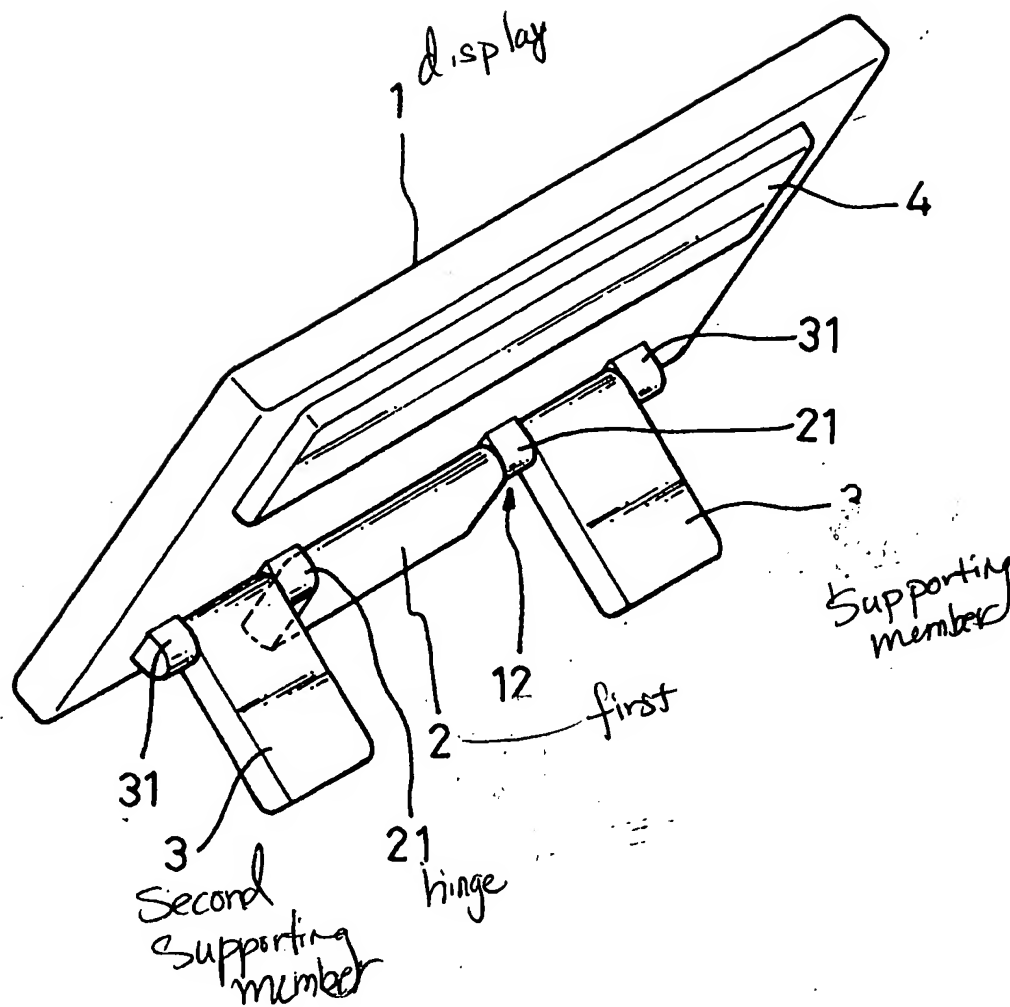


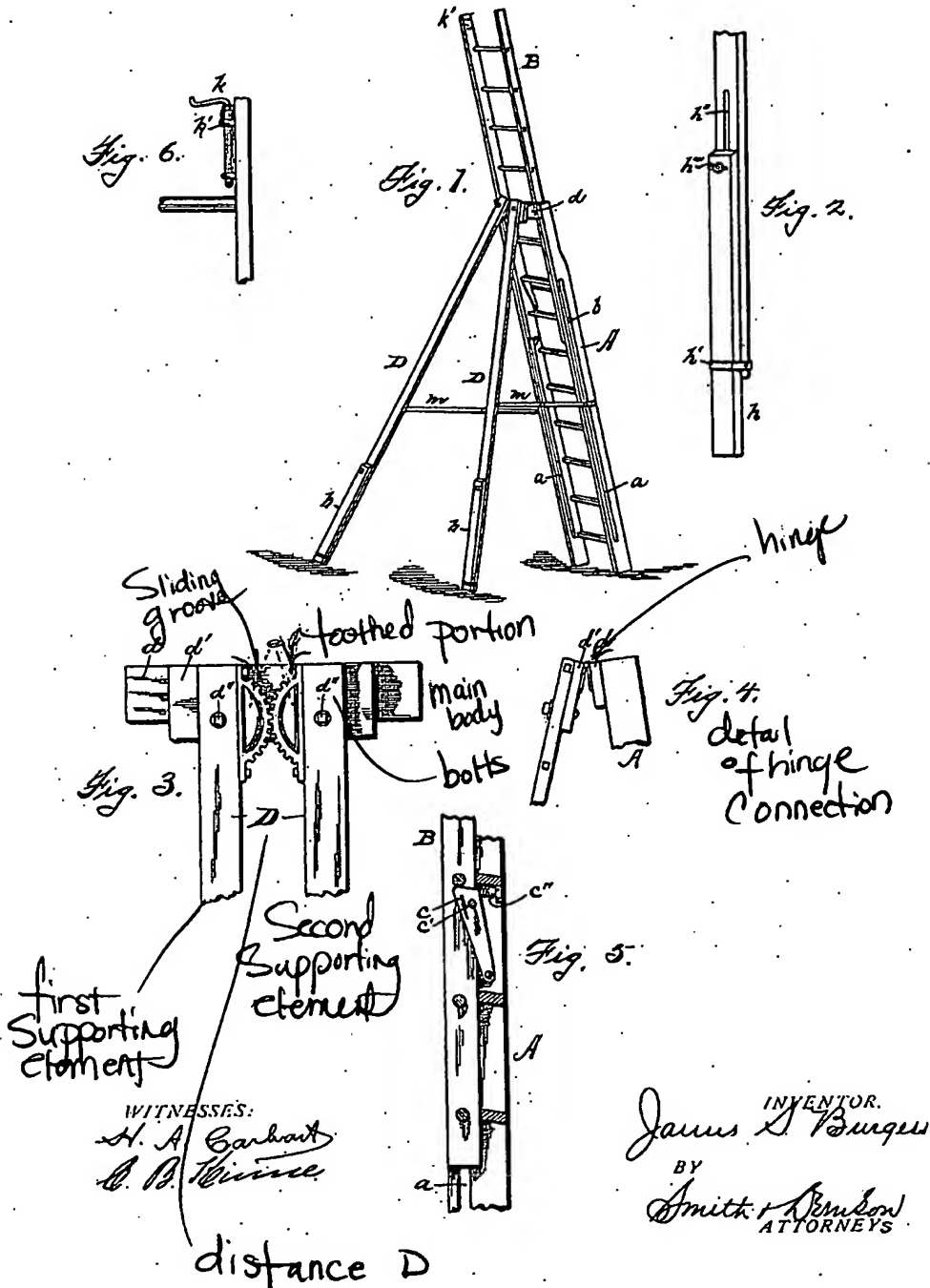
FIG. 3

(No Model.)

J. S. BURGESS.
EXTENSION LADDER.

No. 487,469.

Patented Dec. 6, 1892.



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